

# CITY COUNCIL OF ALEXANDRIA, VIRGINIA

**Public Hearing Meeting**  
**Saturday, November 15, 2003 - - 9:30 a.m.**

\* \* \* \* \*

Present: Mayor William D. Euille, Vice Mayor Redella S. Pepper, Members of Council Ludwig P. Gaines, K. Rob Krupicka, Andrew H. Macdonald, and Joyce Woodson.

Absent: Member of Council Paul C. Smedberg

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Mr. Caton, Legislative Director; Mr. Baier, Director of Transportation and Environmental Services; Ms. Fogarty, Director of Planning and Zoning; Ms. Ross, Deputy Director of the Planning and Zoning; Ms. Gordon, Public Information Officer; Mr. Farner, Urban Planner; Ms. Fogle, Development Division Chief, Planning and Zoning; Police Lieutenant Uzzell; Ms. Davis, Director of Housing; Ms. Whitmore, Director of Recreation, Parks and Cultural Activities; Mr. Culpepper, Deputy Director of Transportation; Mr. Shunk, Environmental Quality Watershed Administrator; Mr. Smith, staff liaison to the BAR; Ms. Beeton, Planner; and Fire Marshal Rodriquez.

Recorded By: Jackie M. Henderson, City Clerk and Clerk of Council

## **OPENING**

1. Calling the Roll.

The meeting was called to order by Mayor Euille and the City Clerk called the roll; Councilman Smedberg was absent.

## **New Business Items No. 1 and 2:**

Mayor Euille said the Annual Christmas Tree Lighting Ceremony is November 28, 2003, at Market Square.

Mayor Euille asked citizens to keep those less fortunate in mind with their needs over the holiday season, especially by making a donation to the non-profit food bank drives. There is also a food collection box in City Hall, and at the Lee Recreation Center and at the Beatley Library.

2. Public Discussion Period.

(a) Jim Dorsch, 111 Quay Street, President, Founder's Park Community Association, along with Treasurer Virginia Pitcher, presented a check to the City for \$10,000 for Founder's Park rehabilitation after damage done by Hurricane Isabel.

**New Business Item No. 3:**

Mayor Euille said Councilman Smedberg is on a business trip outside of the City. He also said that for items 16, 17 and 18, the Council will conduct the public hearing, but action will be postponed until November 25, at the request of Councilman Smedberg.

(b) Harry New, 5001 Seminary Road, Apt. 514, spoke in opposition to the Alexandria Visitor's Center Proposal.

(c) Mike Reddan, 1450 Wilkes Street, Executive Director of the Alexandria National Cemetery Preservation Foundation, spoke about the history of the Alexandria National Cemetery and requested the City to place the cemetery on its map of historic places and historical boundaries.

Vice Mayor Pepper asked staff to follow-up on the request.

(d) Valerie McDonald, P.O. Box 1740, chair of the health committee of the National Association for the Advancement of Colored Persons, Alexandria Branch, spoke about the decrease and loss of services to residents for substance abuse, newly released inmates, mentally challenged and HIV prevention services. She asked if there was a comprehensive plan that considers the clients and ensures that the same standard of care is maintained through other programs.

(e) Tom Parry, 317 Skyhill, passed out information to Council and asked when the settlement agreement was signed with the Carlyle Development on the tunnel issue with CDC and what was signed.

(f) Lillie Finklea and Louise Massaud, on behalf of the Friends of Freedmen's Cemetery, spoke about restoring Freedmen's Cemetery and thanked Council and staff for its support of the cemetery.

(g) Lillian J. White, 119 W. Mason Avenue, on behalf of the League of Women Voter's, spoke on the closing of INOVA's Alexandria's Hospital's psychiatric unit and urged Council to keep the psychiatric unit open.

(h) Harry P. Hart, 307 N. Washington Street, spoke about Freedmen's Cemetery commemoration and the continuation in the City of the Mobil station run by Osghar Butt, who appeared with Mr. Hart.

(i) Charlotte Vedeler, 706 Prince Street, spoke about the Freedmen's Cemetery and the continuation of the Mobil Station run by Mr. Butt in the City.

(j) Patricia Jones, 1204 S. Washington Street, spoke about Freedmen's Cemetery and the continuation of the Mobil Station run by Mr. Butt.

Mayor Euille said they are all in one accord and the City is committed to working to find Mr. Butt another site in the City.

**New Business Item No. 4:** Vice Mayor Pepper noted that she recused herself when Lillian White from the League of Women Voters spoke about the Alexandria psychiatric ward. She said her husband is the chair of the Psychiatric Department at INOVA.

## **REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES**

### **ACTION CONSENT CALENDAR (3-9)**

#### **Planning Commission**

4. ENCROACHMENT #2003-0007

1700 DUKE STREET

Public Hearing and Consideration of a request for an encroachment of building canopies into the public right-of-way; zoned CDD-1/Coordinated Development District.

Applicant: JBG/Rockwood Duke Street, LLC by Timothy S. Munshell

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 11/11/03, and is incorporated as part of this record by reference.)

5. DEVELOPMENT SPECIAL USE PERMIT #2003-0031

4951 BRENMAN PARK DRIVE AND 171 SOMERVELLE STREET - CAMERON STATION - PHASE I

Public Hearing and Consideration of a request to amend a development special use permit to expand the definition of retail uses permitted in commercial condominium units to include business, professional and medical offices; zoned CDD-9/Coordinated Development District.

Applicant: Main Street Retail by Duncan Blair, attorney

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 5; 11/11/03, and is incorporated as part of this record by reference.)

6. DEVELOPMENT SPECIAL USE PERMIT #2003-0028  
191 SOMERVELLE STREET - CAMERON STATION - PHASE III  
Public Hearing and Consideration of a request to amend a development special use permit to expand the definition of retail uses permitted in commercial condominium units to include business, professional and medical offices; zoned CDD-9/Coordinated Development District.  
Applicant: Main Street Retail by Duncan Blair, attorney

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 6; 11/11/03, and is incorporated as part of this record by reference.)

7. DEVELOPMENT SPECIAL USE PERMIT #2003-0027  
4001 EISENHOWER AVENUE - CAMERON RUN REGIONAL PARK  
Public Hearing and Consideration of a request for a development special use permit, with site plan, to install and operate a group picnic shelter at Cameron Run Regional Park; zoned POS/Public Open Space and Community Recreation.

Applicant: Northern Virginia Regional Park Authority

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 11/11/03, and is incorporated as part of this record by reference.)

8. SPECIAL USE PERMIT #2003-0090  
356 SOUTH PICKETT STREET  
RESTAURANT  
Public Hearing and Consideration of a request for a special use permit to operate a restaurant; zoned CDD/Coordinated Development District.  
Applicant: Layek Ahmad Chowdhury

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 11/11/03, and is incorporated as part of this record by reference.)

**END OF ACTION CONSENT CALENDAR**

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded Councilman Gaines and carried unanimously, City Council approved the Action Consent Calendar, with the removal of items 3 and 9. The action of City Council follows:

4. City Council approved the Planning Commission recommendation.
5. City Council approved the Planning Commission recommendation.
6. City Council approved the Planning Commission recommendation.
7. City Council approved the Planning Commission recommendation.
8. City Council approved the Planning Commission recommendation.

The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

3. SPECIAL USE PERMIT #2003-0096  
3802 AND 3804 EXECUTIVE AVENUE  
ALEXANDRIA NEIGHBORHOOD HEALTH SERVICES  
Public Hearing and Consideration of a request for a special use permit to expand a community center/health clinic and a parking reduction; zoned RA/Residential.

Applicant: Alexandria Neighborhood Health Services by Jenneel Charles

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 3; 11/11/03, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Councilman Macdonald, seconded by Councilman Gaines and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Macdonald	"aye"	Pepper	"aye"
Gaines	"aye"	Krupicka	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

9. VACATION #2003-0006  
700 SOUTH ROYAL STREET AND A PORTION OF FRANKLIN STREET  
Public Hearing and Consideration of a request for a vacation of the Franklin and South Royal Street right-of-ways; zoned RM/Residential.  
Applicant: William Savage and Ilona Garrard by Harry Hart, Attorney

COMMISSION ACTION: Recommend Approval 5-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 11/11/03, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilwoman Woodson and carried 5-1, City Council deferred action on this item until December 8, 2003. (The City Manager is asked to come back to Council with consideration of a policy on whether to designate money from vacation cases into the open space fund, and for consideration of the additional value that will be gained by the property owner.) The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"no"
Euille	"aye"	Macdonald	"aye"
	Smedberg	absent	

## REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

10. Public Hearing on proposed amendments to the Charter of the City of Alexandria, Virginia for the 2004 Session of the General Assembly. (Adoption is scheduled for November 25, 2003.) (#17, 10/28/03)
- 10a. Public Hearing on the Proposed City Legislative Package for the 2004 General Assembly Session. (#17, 10/28/03)

(A copy of the City Manager's memorandum dated October 22, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10 and 10a; 11/15/03, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing on this item:

Jean Antonne spoke in opposition to item 1b, increasing affordable housing for City and school employees.

Duncan Blair, 524 King Street, spoke in support of item 1b, increasing affordable housing for city and school employees.

Phillip Matyas, 219 N. Pitt Street, spoke in opposition to some of the social programs proposed in the charter amendment and the Council should be more conscientious with its revenues from the property owners.

Dennis Simmons, 427 N. St. Asaph, spoke in opposition to item 1b, increasing affordable housing for city and school employees.

Richard Waite, 427 North Saint Asaph, spoke in opposition to item 1b, increasing affordable housing for city and school employees.

Richard Klingenmaien, 505 Cameron Street, spoke in opposition to item 1b, increasing affordable housing for city and school employees.

Rob Aronson, 429 Cameron Street, spoke in opposition to item 1b, increasing affordable housing for city and school employees.

Robert Kubal, 301 N. Washington Street, said he agrees with the proposition that taxes are the price one pays for civilization. The citizens should support the right to make its own decisions instead of in Richmond.

Barbara Gilley, 145 Century Drive, #5101, spoke on behalf of the Commission on Persons with Disabilities in support of the legislative agenda, and including the legislative agenda from the Disability Commission, including continuing the Disability Commission, which is up for sunset this year, Medicaid buy-in pilot, and Medicaid waiver for home and community services for Virginians with brain injuries and others.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council closed the public hearings and set the final adoption of these items for November 25, 2003. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	absent	

**REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES (continued)**  
**Planning Commission (continued)**

11. DEVELOPMENT SPECIAL USE PERMIT #2003-0018  
500 CAMERON STATION BLVD./FERDINAND DAY DRIVE - CAMERON STATION - PHASE VI  
Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct townhouses within Phase VI of the Cameron Station development; zoned CDD-9/Coordinated Development District.  
Applicant: Cameron Development, LLC, by Duncan Blair  
COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 11/15/03, and is incorporated as part of this record by reference.)

12. DEVELOPMENT SPECIAL USE PERMIT #2003-0017  
400 CAMERON STATION BOULEVARD - CAMERON STATION - PHASE VII  
Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct a condominium building within Phase VII of the Cameron Station development; zoned CDD-9/Coordinated Development District. Applicant: Cameron Development, LLC, by Duncan Blair

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 11/15/03, and is incorporated as part of this record by reference.)

13. SPECIAL USE PERMIT #2003-0092  
CAMERON STATION BOULEVARD AND FERDINAND DAY DRIVE  
TRANSPORTATION MANAGEMENT PLAN  
Public Hearing and Consideration of a request to amend the transportation management plan to include Cameron Station Phase VI and VII; zoned CDD-9/Coordinated Development District. Applicant: Cameron Development, LLC, by Duncan Blair

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 11/15/03, and is incorporated as part of this record by reference.)

Planning Director Fogarty, along with Urban Planner Farner, made a presentation of the report.

The following persons participated in the public hearing on this item:

Duncan Blair, attorney for the applicant, spoke in favor of the request.

Victoria Hebert, president of the board of directors of Cameron Run Association, spoke in favor of the request. She said they had a concern on recommendation #13, bus shelters, about the placement, expense of maintenance and difficulty and expense of making changes in the future, and they want the homeowners association to be involved in that process. On recommendations #11 and 12, solid waste collection, they would like to continue having a private company provide that service.



Melinda Lyle, 5235 Tancreti Lane, vice president of the Cameron Station Civic Association and representing the property owners on Tancreti Lane, spoke in support of the request.

**WHEREUPON**, upon motion by Councilman Gaines, seconded by Councilman Krupicka and carried unanimously, the public hearing was closed. The voting was as follows:

Gaines	"aye"	Pepper	"aye"
Krupicka	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
Woodson	"aye"		

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council approved the Planning Commission recommendation for items 11, 12 and 13, with the following: a condition be provided that would allow for the new developments to use their private trash pick-up service, but that after one year, there would be a good faith discussion among the homeowners and City staff to see if they could be enticed to join in with the City trash service; and that the homeowners association be involved with the planning of the bus shelters. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
Smedberg	absent		

14. DEVELOPMENT SPECIAL USE PERMIT #2003-0029  
1700 DUKE STREET

Public Hearing and Consideration of a request to amend the development special use permit to increase the number of condominium units; zoned CDD-1/Coordinated Development District. Applicant: JBG/Rockwood Duke Street, LLC, by Harry Hart, Attorney

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 14; 11/15/03, and is incorporated as part of this record by reference.)

Harry Hart, attorney representing the applicant, said he would answer any questions.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the Planning Commission recommendation, with an amendment to the first paragraph of condition

#12 to read: "The applicant shall provide a parking management plan which outlines the mechanism to maximize the use of the parking structure to the satisfaction of the Director of Planning and Zoning. The site plan and building permit shall be amended to depict the revised parking garage configuration to account for the two additional residential units by re-stripping the garage to accommodate the two (2) residential spaces." The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	absent	

15. TEXT AMENDMENT #2003-0006

DAY LABOR AGENCIES

Public Hearing and Consideration of a text amendment to the Zoning Ordinance to define day labor agencies and to require a special use permit for day labor agencies in appropriate commercial zones, with abatement for existing agencies.

Applicant: Department of Planning and Zoning

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 15; 11/15/03, and is incorporated as part of this record by reference.)

Deputy Director of Planning and Zoning Ross made a presentation of the proposed text amendment.

The following persons participated in the public hearing on this item:

G. Michael Schlee, 712 Pendleton Street, spoke in favor of the amendment and about the problems with Ace Temporary Agency in his neighborhood.

Frank Conner, 607 N. Columbus Street, spoke in favor of the amendment and about the problems with Ace Temporary Agency in his neighborhood.

Kelly Conner, 607 N. Columbus Street, spoke in favor of the amendment and about the problems with Ace Temporary in her neighborhood.

Alec R. Hendershot, 526 N. Columbus Street, spoke in favor of the amendment.

Sean Pratt, 532 N. Columbus Street, spoke in favor of the amendment.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

**A motion was made** by Councilman Macdonald to approve the Planning Commission recommendation with an amendment that abatement for existing agencies be no more than nine months. The motion died for lack of a second.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council approved the Planning Commission recommendation, with an amendment that abatement of existing agencies be no more than 12 months. The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	absent	

Councilman Gaines asked that staff keep Council abreast of enforcement efforts and on-going problems in the neighborhood.

\* \* \* \* \*

(Council took a lunch break from 12:20 to 12:50 p.m.)

\* \* \* \* \*

**Council took items 23 and 24 out of turn:**

23. DEVELOPMENT SPECIAL USE PERMIT #2003-0005  
1200 NORTH QUAKER LANE  
EPISCOPAL HIGH SCHOOL SCIENCE BUILDING  
Public Hearing and Consideration of a request for a development special use permit, with site plan, to construct a building for science instruction and to increase enrollment; zoned R-20/Residential. Applicant: The Episcopal High School in Virginia by R.J. Keller

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 11/15/03, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council closed the public hearing. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Krupicka	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

Duncan Blair, attorney for the applicant, answered questions of Council.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Krupicka and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Krupicka	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

24. DEVELOPMENT SPECIAL USE PERMIT #2003-0026

4400 WEST BRADDOCK ROAD

LYNN HOUSE OF POTOMAC VALLEY

Public Hearing and Consideration of a request for a development special use permit, with site plan, to expand an existing nursing facility; R-8/Residential.

Applicant: Lynn House of Potomac Valley, Inc., by Duncan Blair, attorney

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 24; 11/15/03, and is incorporated as part of this record by reference.)

Duncan Blair, attorney representing the applicant, said he would answer any questions.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

Water Quality Administrator Shunk answered questions of Councilman Macdonald.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

16. MASTER PLAN AMENDMENT #2003-0004  
3517-3551 DUKE STREET  
QUAKER RIDGE

Public Hearing and Consideration of a request for an amendment to the Seminary Hill/Strawberry Hill Small Area Plan chapter of the City's Master Plan to change the land use designation from RL/Residential Low to RM/Residential Medium and to increase the recommended height limitations. Applicant: Carr Homes by J. Howard Middleton, Jr., attorney

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated October 29, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 11/15/03, and is incorporated as part of this record by reference.)

17. REZONING #2002-0005  
3517-3551 DUKE STREET  
QUAKER RIDGE

Public Hearing and Consideration of a request to rezone the subject property from the R-8/Single-family zone to RB/Townhouse zone with proffers; zoned R-8/Residential. Applicant: Carr Homes by J. Howard Middleton, Jr., attorney  
COMMISSION ACTION: Recommend Approval 5-0

(A copy of the Planning Commission report dated October 29, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 17; 11/15/03, and is incorporated as part of this record by reference.)

18. DEVELOPMENT SPECIAL USE PERMIT #2002-0048  
3517-3551 DUKE STREET  
QUAKER RIDGE

Public Hearing and Consideration of a request for a development special use permit, with site plan to construct a townhouse cluster development with tandem parking and modifications; zoned R-8/Residential. Applicant: Carr Homes by J. Howard Middleton, Jr., attorney

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated October 29, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 11/15/03, and is incorporated as part of this record by reference.)

Planning Director Fogarty and Deputy Director of Transportation Culpepper made a presentation of the report.

The following persons participated in the public hearing on this item:

Howard Middleton, attorney representing the applicant, spoke in favor of the request.

John Eisaman, 3 Arell Court, spoke against the request.

Suzan Danfora, 3525 Duke Street, spoke in favor of the request.

Gregory Leiby, 32 Carriage House Circle, representing the Colonial Heights Homeowners Association, spoke in favor of the request.

Diane Kain, 12 Arell Court, spoke against the request.

The Mayor noted that Connie Eisaman, 3 Arell Court, Kathryn Bachman, 31 Arell Court, Robert Coulter, 3816 Griffith Place, Thomas McCarsky, 31 Arell Court, Laurie J. Kusek, 18 Arell Court, Kathleen McBride, 14 Arell Court, Rich Mierzejewski, 77 Arell Court, Bob Page, 26 Arell Court, Johanna Culver, 35 Arell Court, Monica Larrieu, 15 Arell Court, Janet Gitterman, 11 Arell Court, Donna R. Gettel, 67 Arell Court, Robert Gettel, 67 Arell Court, and C. Lee Ware, 22 Arell Court, have deferred their time to Richard Kain, for a total of 42 minutes.

Richard Kain, 12 Arell Court, made a detailed powerpoint presentation of the request of the Quaker Village Homeowner's Association that the request be denied.

Ms. Fogarty and Mr. Baier answered questions of Council.

Katy Cannady, 20 East Oak Street, spoke against the request.

The Mayor noted that Margaret Hogue, 8 Arell Court, has deferred her time to Diana Cangelosi.

Diana T. Cangelosi, 81 Arell Court, spoke against the request.

Elizabeth Wright, 113 S. Ingram Street, spoke about what is best for the area.

James Roberts, 2916 Dartmouth Road, representing the Clover College Park Civic Association, spoke against the request.

Jeff Bandy, 10 Arell Court, spoke against the request.

Jack Sullivan, 4300 Ivanhoe Place, representing the Seminary Hill Association, spoke against the request.

Diane Crawford Batt, 3551 Duke Street, spoke in favor of the request.

Staff was asked to put information together before the vote on the item on the retaining wall and grading in the back yard; to do as precise as possible a calculation on the density increase; and the Planning staff will apprise the Council on whether the protest letter meets the criteria for a requirement of the super majority vote of the Council.

**WHEREUPON**, upon motion by Councilman Krupicka, seconded by Vice Mayor Pepper and carried unanimously, City Council held the public hearings and deferred action until November 25, 2003 and acknowledged receipt of the protest petition. The voting was as follows:

Krupicka	"aye"	Gaines	"aye"
Pepper	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

19. TEXT AMENDMENT #2003-0005

PUBLIC SCHOOL ZONING

Public Hearing and Consideration of a text amendment to the Zoning Ordinance to allow increases in height and density for public schools. Applicant: Department of Planning and Zoning.

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 19; 11/15/03, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing on this item:

Howard Middleton, 3110 Fairview Park Drive, Falls Church, representing the Alexandria City Public Schools, spoke in favor of the text amendment.

Julie Crenshaw, 816 Queen Street, clarified for Council what she said at the Planning Commission meeting with regard to structured parking, height and density.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council moved to close the public hearing. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the Planning Commission recommendation. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

20. MASTER PLAN AMENDMENT #2003-0009  
3801 WEST BRADDOCK ROAD (parcel address: 3701 West Braddock Road)  
MINNIE HOWARD SCHOOL  
Public Hearing and Consideration of a request to amend the Seminary Hill/Strawberry Hill Small Area Plan chapter of the City's Master Plan to change the land use designation from P/Parks and Open Space to I/Institutional. Applicant: City of Alexandria Public Schools

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 20; 11/15/03, and is incorporated as part of this record by reference.)

21. REZONING #2003-0005  
3801 WEST BRADDOCK ROAD (parcel address: 3701 West Braddock Road)  
MINNIE HOWARD SCHOOL  
Public Hearing and Consideration of a request to rezone a portion of the subject property from POS/Public Open Space to R-12/Residential. Applicant: City of Alexandria Public Schools

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 11/15/03, and is incorporated as part of this record by reference.)



22. DEVELOPMENT SPECIAL USE PERMIT #2002-0045  
3801 WEST BRADDOCK ROAD (parcel address: 3701 West Braddock Road)  
MINNIE HOWARD SCHOOL  
Public Hearing and Consideration of a request for a development special use permit, with site plan, modifications and subdivision to expand the Minnie Howard School, increase the floor area ratio and to place public school trailers in the POS zone; zoned R-12/Residential. Applicant: City of Alexandria Public Schools

COMMISSION ACTION: Recommend Approval 6-0

(A copy of the Planning Commission report dated November 6, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 11/15/03, and is incorporated as part of this record by reference.)

The following persons participated in the public hearing on this item:

Howard Middleton, 3110 Fairview Park Drive, Falls Church, said he agreed with the staff conditions adopted by the Planning Commission and requested approval of the requests.

Julie Crenshaw, 816 Queen Street, clarified what she said on these items at the Planning Commission meeting with regard to open space and trailers. She also clarified what she said on item 23, the Episcopal High School Science Building, with regard to the environment, green space and the amount of money being spent on the building.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council closed the public hearing. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council approved the Planning Commission recommendation for items 20, 21 and 22. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

**Board of Architectural Review  
Old and Historic Alexandria District**

25. CASE BAR 2003-0201

Public Hearing and Consideration of an appeal of the decision of the Board of Architectural Review, Old and Historic Alexandria District, for approval of alterations to previously approved signage at 6 King Street, zoned CD Commercial. Applicant: Shanna Ruhl. Appellant: Sarita Schotta on behalf of petitioners.

(A copy of the report dated November 15, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 25; 11/15/03, and is incorporated as part of this record by reference.)

Deputy Director of Planning and Zoning Ross made a presentation of this item.

The following persons participated in the public hearing on this item:

Oscar Fitzgerald, 206 N. Monroe Avenue, representing the Board of Architectural Review, Old and Historic District, spoke in support of the unanimous BAR decision for approval of the sign.

Paul Gaiser, 4963 Elm Street, Suite 103, architect representing Starbucks Coffee, said they agree with the staff recommendations and all previous Council recommendations.

Jon Wilbor, 310 S. Lee Street, spoke in favor of the appeal.

BAR Liaison Smith responded to questions of Council pertaining to sign material and lighting.

Sarita Schotta, 104 Prince Street, passed out copies of the *International Herald Tribune* to show pictures of the Starbucks sign, and she spoke in favor of the appeal and for a different bracket.

Julie Crenshaw, 816 Queen Street, spoke in favor of the appeal and passed out copies of her presentation to Council.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilwoman Woodson and carried unanimously, City Council closed the public hearing. The voting was as follows:

Pepper	"aye"	Gaines	"aye"
Woodson	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	absent	

**A motion was made** by Councilman Krupicka, seconded by Vice Mayor Pepper and then later withdrawn, to find that the size, color and installation of the 36-inch hanging sign on King Street is not consistent in size, color and installation with signs typically found in a commercial building in this part of the historic district within the district's period of significance and is not compatible with the historic building; accordingly, he moved that the City Council modify the decision of the BAR to approve a sign that is smaller and has a bracket that is more appropriate and in character with the other brackets shown and which color is consistent with the colors of others in the district.

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously, City Council moved to send this back to the BAR to have the BAR look at both of the signs, keeping in mind comments made during the hearing. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

26. Public Hearing, Second Reading and Final Passage of an Ordinance To Make a Supplemental Appropriation of Funds for the Operation of City Government in Fiscal Year 2004. (#12, 11/11/03) **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated November 5, 2003, 2003, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 26; 11/15/03, and is incorporated as part of this record by reference.)

**WHEREUPON**, upon motion by Vice Mayor Pepper, seconded by Councilman Gaines and carried unanimously by roll call vote, City Council closed the public hearing and finally passed the Ordinance upon its Second Reading and Final Passage. The voting was as follows:

Pepper	"aye"	Krupicka	"aye"
Gaines	"aye"	Macdonald	"aye"
Euille	"aye"	Smedberg	absent
	Woodson	"aye"	

The Ordinance reads as follows:

ORDINANCE NO. 4319

AN ORDINANCE making provision for the support of the government of the City of Alexandria, Virginia, and for the payment of municipal expenditures by providing supplemental appropriations of amounts required to defray certain expenditures and liabilities of the city for fiscal year 2004, which began on the first day of July 2003 and ends on the thirtieth day of June 2004.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

**Section 1.** That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the funds hereafter named the amounts required to defray the expenditures and liabilities of the city for which commitments were established in the form of encumbrances or otherwise on or before June 30, 2003, but which are payable in fiscal year 2004, and for which amounts were appropriated but not expended in fiscal year 2003, and further that the council does hereby allot the amounts so appropriated to the several city departments for fiscal year 2004, as follows:

**GENERAL FUND**

City Manager	\$ 161
Office on Women	107
Citizen Assistance	9,411
Management and Budget	858
18th General District Court	1,365
Sheriff	8,248
Clerk of Courts	152,048
Other Correctional Activities	9,095
Human Rights	4,897
Internal Audit	137
Information and Technology Services	507,690
City Clerk and Clerk of Council	711
Finance	377,469
Personnel	99,480
Planning and Zoning	254,850
Registrar of Voters	17,867

General Services	736
Transportation and Environmental Services	257,930
Transit Subsidies	60,000
Fire	84,390
Police	8,407
Housing	2,092
Health	\$ 152,221
Human Services	4,500
Office of Historic Alexandria	39,081
Recreation and Cultural Activities	47,338
Non-Departmental	<u>285,379</u>
Total General Fund	<u>\$ 2,386,468</u>

#### **EQUIPMENT REPLACEMENT RESERVE FUND**

General Services	\$ 16,087
Transportation and Environmental Services	259,335
Fire	794,267
Recreation and Cultural Activities	<u>133,311</u>
Total Equipment Replacement Reserve Fund	<u>\$ 1,203,000</u>

#### **COMPONENT UNIT**

Alexandria Transit Company	\$ <u>377</u>
Total Component Unit	<u>\$ 377</u>

**Section 2.** That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2004, the source of such amount being external grant awards for which the proceeds were received or accepted prior to June 30, 2003, but which were not expended by such date, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2004, as follows:

**SPECIAL REVENUE FUND****ESTIMATED REVENUE:**

City Manager	\$ 263,976
Office on Women	29,190
Commonwealth's Attorney	286,891
Sheriff	25,210
Clerk of the Court	40,324
Court Services	45,933
General Services	500,000
Transportation and Environmental Services	389,414
Fire	2,044,078
Police	793,639

Housing	\$ 9,874,623
Mental Health/Mental Retardation/Substance Abuse	1,364,024
Human Services	684,868
Office of Historic Alexandria	68
Library	23,634
Non-Departmental	<u>2,588,782</u>
Total Appropriation	<u>\$18,954,654</u>

**SPECIAL REVENUE FUND****APPROPRIATION:**

City Manager	\$ 263,976
Office on Women	29,190
Commonwealth's Attorney	286,891
Sheriff	25,210

Clerk of the Court	40,324
Court Services	45,933
General Services	500,000
Transportation and Environmental Services	389,414
Fire	2,044,078
Police	793,639
Housing	9,874,623
Mental Health/Mental Retardation/Substance Abuse	1,364,024
Human Services	684,868
Office of Historic Alexandria	68
Library	23,634
Non-Departmental	<u>2,588,782</u>
Total Estimated Revenue	<u>\$18,954,654</u>

**Section 3.** That the Council of the City of Alexandria, Virginia, does hereby make provision and appropriate to the Special Revenue Fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2004, the source of such amount being external grant awards for which the proceeds were authorized and adjusted after July 1, 2003, but not appropriated, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2004 as follows:

**SPECIAL REVENUE FUND**

**ESTIMATED REVENUE:**

Office on Women	\$ (48,077)
Commonwealth's Attorney	(74,489)
Sheriff	(39,537)
Court Services	157,229
Fire	14,421
Police	110,476
Housing	403,552
Mental Health/Mental Retardation/Substance Abuse	198,323

Human Services	308,462
Recreation	<u>13,540</u>
Total Estimated Revenue	<u>\$ 1,043,900</u>

### **SPECIAL REVENUE FUND**

#### **APPROPRIATION:**

Office on Women	\$ (48,077)
Commonwealth's Attorney	(74,489)
Sheriff	(39,537)
Court Services	157,229
Fire	14,421
Police	110,476
Housing	403,552
Mental Health/Mental Retardation/Substance Abuse	198,323
Human Services	308,462
Recreation	<u>13,540</u>
Total Estimated Revenue	<u>\$ 1,043,900</u>

**Section 4.** That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter named the amount hereafter stated that is required to defray certain expenditures and liabilities of the city in fiscal year 2004, the source of such amount being the residual balances accumulated as of June 30, 2003, in accounts for donations and activities, and further that the council does hereby allot the amount so appropriated to the several city departments for fiscal year 2004, as follows:

### **SPECIAL REVENUE FUND**

#### **ESTIMATED REVENUE:**

Office on Women	\$ 19,450
Commonwealth's Attorney	15,463
Sheriff	73,157
Clerk of the Court	143,053



Finance	1,313
Personnel	1,676
Fire	2,484
Police	303,969
Housing	450
Health	10,899
Human Services	24,964
Office of Historic Alexandria	117,318
Recreation	<u>4,724</u>
Total Estimated Revenue	<u>\$ 718,920</u>

### **SPECIAL REVENUE FUND**

#### **APPROPRIATION:**

Office on Women	\$ 19,450
Commonwealth's Attorney	15,463
Sheriff	73,157
Clerk of the Court	143,053
Finance	1,313
Personnel	1,676
Fire	2,484
Police	303,969
Housing	450
Health	10,899
Human Services	24,964
Office of Historic Alexandria	117,318
Recreation	<u>4,724</u>
Total Appropriation	<u>\$ 718,920</u>

**Section 5.** That the Council of the City of Alexandria, Virginia, does hereby make

provision for and appropriate to the General Fund the amount hereafter stated that is required to defray certain expenditures of the city for fiscal year 2004, the source of such amount being undesignated General Fund Balance, and further that the Council does hereby allot the amount so appropriated to the several city departments, as follows:

**GENERAL FUND**

ESTIMATED REVENUE:

Undesignated General Fund Balance	\$ 58,139
Total Estimated Revenue	\$ 58,139

APPROPRIATION:

Citizen Assistance	\$ 2,467
City Clerk and Clerk of Council	2,134
Office of Historic Alexandria	53,538
Total Appropriation	\$ 58,139

**Section 6.** That the Council of the City of Alexandria, Virginia, does hereby make provision for and appropriate to the fund hereafter stated the amount hereafter stated that is required to defray certain expenditures and liabilities of the city for fiscal year 2004, the source of such amount being Designated General Fund Balance, and further, that the council does hereby allot the amount so appropriated, as follows:

**GENERAL FUND**

ESTIMATED REVENUE:

Designated General Fund Balance	\$ 1,184,951
Total Estimated Revenue	\$ 1,184,951

APPROPRIATION:

Information & Technology Services	\$ 100,000
Personnel	21,000
Other Planning Activities	53,841

Transportation and Environmental Services	309,136
Human Services	50,000
Office of Historic Alexandria	5,000
Recreation	124,295
Non-Departmental	<u>521,679</u>
Total Appropriation	<u>\$ 1,184,951</u>

**Section 7.** That this ordinance shall be effective upon the date and at the time of its final passage.

27. CITY CHARTER SECTION 9.06 CASE #2003-0003  
 1001 SOUTH WASHINGTON STREET AND 714 CHURCH STREET -  
 FREEDMEN'S CEMETERY  
 Consideration of a proposal by the City of Alexandria to acquire property for use  
 as a public park commemorating Freedmen's Cemetery; zoned CL/Commercial  
 Low. Applicant: City of Alexandria, Department of Transportation and  
 Environmental Services.  
 COMMISSION ACTION: Recommend Approval 6-0  
**(THIS ITEM IS NOT SET FOR PUBLIC HEARING BUT IS FOR CITY  
 COUNCIL'S INFORMATION ONLY - NO APPROVAL IS NECESSARY.)**
28. SPECIAL USE PERMIT #2003-0082  
 330 JOHN CARLYLE STREET  
 TEMPERATURE DAY SPA AND SALON, INC.  
 Public Hearing and Consideration of a request for a special use permit to  
 operate a massage establishment in a day spa and beauty salon; zoned  
 CDD-1/Coordinated Development District. Applicant: Nadine Moore.  
  
 Commission Action: Deferred
29. VACATION #2003-0003  
 801-833 SOUTH WASHINGTON STREET, 806-828 SOUTH COLUMBUS  
 STREET AND 712-728 JEFFERSON STREET  
 Public Hearing and Consideration of a request to vacate the 20 foot wide public  
 alley adjacent to 801-833 South Washington Street; zoned CRMU-L/Commercial  
 Residential Mixed Use-Low. Applicant: WRIT by M. Catharine Puskar, attorney.  
  
 Commission Action: Deferred

30. DEVELOPMENT SPECIAL USE PERMIT #2003-0020  
801-833 SOUTH WASHINGTON STREET, 806-828 SOUTH COLUMBUS STREET AND 712-728 JEFFERSON STREET  
Public Hearing and Consideration of a request for a development special use permit, with site plan to increase the allowable floor area ratio and to develop a multi-family residential building with underground parking, ground floor retail and retention of existing retail along S. Washington Street; zoned CRMU-L/Commercial Residential Mixed Use-Low. Applicant: WRIT by M. Catharine Puskar, attorney

Commission Action: Deferred

City Council noted the deferrals.

**New Business Item No. 5:** Councilman Gaines said he discussed this with the City Attorney and there is no conflict of interest, but he noted for the record that he served on the Freedmen's Cemetery Board and offered pro-bono legal advice.

**WHEREUPON**, upon motion by Councilwoman Woodson, seconded by Vice Mayor Pepper and carried unanimously, City Council adjourned the meeting at 4:45 p.m. The voting was as follows:

Woodson	"aye"	Gaines	"aye"
Pepper	"aye"	Krupicka	"aye"
Euille	"aye"	Macdonald	"aye"
	Smedberg	absent	

\* \* \* \* \*

APPROVED BY:

**WILLIAM D. EUILLE MAYOR**

ATTEST:

\_\_\_\_\_  
Jackie M. Henderson, City Clerk

***This docket is subject to change.***

\* \* \* \* \*

***Full-text copies of ordinances, resolutions, and agenda items are available in the Office of the City Clerk and Clerk of the Council.***

\* \* \* \* \*

***Individuals with disabilities who require assistance or special arrangements to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 838-4500 (TTY/TDD 838-5056). We request that you provide a 48-hour notice so that the proper arrangements may be made.***

\* \* \* \* \*

***Individuals who require translation services to participate in the City Council meeting may call the City Clerk and Clerk of Council's Office at 838-4500. We request that you provide a 48-hour notice so that proper arrangements may be made.***